

# Multilateral Agreements

What existing multilateral agreements could be applied in the management of impacts from sound on marine mammals?

- There are a number of treaties that might be applied to the management of sound and potential impacts to marine mammals
- Problem of interpretation
- UNCLOS seen as most relevant
- Ostensibly MANY treaties could be amended to cover this topic
- A list of these was compiled

Have any actions been taken that are specifically directed at sound or acoustic impact on marine mammals?

- Global
  - IWC (Whale Watching Guidelines, Western Grey Whale)
  - CMS (Convention Migratory Species) - Windfarms
- Regional
  - NATO (North Atlantic Treaty Organisation)
  - ASCOBANS – Developing seismic guidelines
  - Barcelona Convention – Offshore Protocol
- May be others

# What relevant international authorities/institutions should be involved in policy decisions related to this issue?

- Global
  - Secretariats & COPs of relevant treaties and conventions
  - Intergovernmental Organisations (IOC, UNEP, IWC, IMO, CBD, International Seabed Authority)
  - UNICPOLOS (United Nations Informal Consultative Process on the Law of the Sea)
- Regional
  - Regional Seas Programmes
  - Military Organisations (NATO)
  - Fisheries Organisations
  - Arctic Council, Antarctic Treaty
- Other Stakeholders
  - Industry (oil and gas, whale watching)
  - Environmental (IUCN)

What types of future regulatory actions can or should be considered to address this issue?

- Difference between compliance and enforcement
- Binding vs Non Binding
  - For non binding only have voluntary implementation
  - Both should be pursued
- Regional vs Global
- There was not an agreement that global agreements are needed or necessary

# How could we address concerns about international enforcement?

- Need to have obligations clear
- We can only enforce hard law and seek implementation of soft laws
- Monitoring
- Reporting
- Dispute Mechanisms

# Immediate Actions

- Complex problem – no simple solution to it but not a reason not to pursue
- Needs cooperation amongst government and stakeholders
- Need a way forward
  - Strategy for actions in short and long term
  - Outreach and education through information papers and fora such as UNICPOLOS, IMO, COPs
  - Cooperation with ongoing regional treaties such as ASCOBANS, Barcelona, OSPAR and others
  - Set proactive challenge for industry